

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Edward Williams,)	
)	C/A No.: 8:05-1454-MBS
Plaintiff,)	
)	
vs.)	
)	
Tom Fox, Director, J. Reuben Long)	O R D E R
Detention Center, and Phillip E. Thompson,)	
Sheriff of Horry County,)	
)	
Defendants.)	
_____)	

Plaintiff Edward Williams is an inmate in custody of the South Carolina Department of Corrections who currently is housed at the Wateree River Correctional Institution in Rembert, South Carolina. At the time of the underlying allegations, Plaintiff was a pretrial detainee at J. Reuben Long Detention Center in Horry County, South Carolina. Plaintiff, appearing pro se, asserts that he was attacked by another inmate and that he did not receive adequate medical care. Plaintiff brings this action pursuant to 42 U.S.C. § 1983.

This matter is before the court on Defendants' motion for summary judgment filed August 5, 2005. By order filed August 30, 2005, pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), Plaintiff was advised of the summary judgment procedure and the possible consequences if he failed to respond adequately. Plaintiff filed a response to Defendants' motion on January 19, 2006.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bruce H. Hendricks for pretrial handling. On January 26, 2006, the Magistrate Judge filed a Report of Magistrate Judge in which she recommended that Defendants' motion for summary judgment be granted and that the court decline to exercise jurisdiction over any

state law claims that Plaintiff may be alleging. Plaintiff filed no response to the Report.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report of Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has thoroughly reviewed the record. The court concurs in the Report of Magistrate Judge and incorporates it herein by reference. Accordingly, Defendants' motion for summary judgment is **granted**. The court declines to exercise jurisdiction over any remaining state law claims Plaintiff may have alleged, and those claims are dismissed without prejudice.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

February 22, 2006

Columbia, South Carolina

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.